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DECLARATION OF LAURA PRESSLEY IN LIEU OF AFFIDAVIT

My name is Dr. Laura Pressley, Ph.D, I declare under penalty of perjury that the following is true and correct. The attached, the "**Declaration of Dr. Laura Pressley for the Original Complaint of Pressley, et.al v. Nelson, et.al,**" is to the best of my knowledge a true and correct summary of my experiences and analysis. The attached documents are all true and correct copies or excerpts thereof.

Executed on the 26th day of March, 2024.

Laura Pressley, Ph.D.

Declaration of Dr. Laura Pressley

I. HISTORY OF WORKING ON CONSECUTIVE BALLOT NUMBERING

A. Curriculum Vitae

I hold a Ph.D. in Chemistry and Physics from the University of Texas at Austin. From 1994 to 2010, I worked professionally in the semiconductor industry for 17 years as a Senior Member of the Technical Staff and device engineering senior manager at Motorola, Advanced Micro Devices, and Freescale Semiconductor. I hold four U.S. patents in semiconductor device manufacturing and yield enhancement device engineering and have managed and led engineering teams globally in the United States, Malaysia, China, Japan, Ireland, and France.

Since 2012 my research has focused on Texas elections as an analyst and advocate for all election laws related to the secure and transparent handling and counting of our votes to be followed by state and county election officers.

My experience and areas of focus include benchmarking best known methods for ballot and counting security, electronic voting election system computer technology, computerized voting election tabulation processes and security, statistical analysis of electronic voting election results and central counting station central accumulator audit logs, central counting station control plans, large data set mining and auditing of voting and ballot records, legislative history of Texas election law. In addition, I have repeatedly testified to the state legislature from 2017 – 2023 and have amended and drafted new state election laws that have been enacted. My full CV is attached.¹

B. Early litigation for consecutive ballot numbering (2014 - 2019)

In 2012, I ran for the Austin City Council and discovered irregularities in the vote counting. Again in 2014, I ran for the Austin City Council and with the help of election watchers discovered numerous illegalities, irregularities, and statistical algorithmic patterns in the electronic tabulation of the results.

I consequently filed for a manual recount and uncovered the fact that ballots cast in-person did not meet the legal specifications for an official ballot – namely the ballots were not consecutively numbered according to the Texas Constitution Art. VI Section 4 and Tex. Elec. Code Section 52.062. An election contest was filed and ended up in the Texas Supreme Court. Texas Attorney General Ken Paxton filed an Amicus Curiae Brief² requesting the Court hear the state constitutional concerns of ballot numbering that we raised for Texas' direct recording electronic (DRE) voting machines. In the Texas Supreme Court, we prevailed in part, yet the question of the consecutive ballot numbering noted *supra*, was not reached.³

¹ Exhibit A - Pressley CV

² <http://www.search.txcourts.gov/SearchMedia.aspx?MediaVersionID=6a9b11e2-e297-4e74-8769-2f17eb22727b&coa=cossup&DT=BRIEFS&MediaID=abea13ce-61f7-40f8-96eb-289cd9044097>

³ *Pressley v. Casar* at <http://www.search.txcourts.gov/Case.aspx?cn=17-0052&coa=cossup>

C. Early political efforts to ensure consecutive ballot numbering

From 2015 through 2017, I worked with many grassroots Republican, Democratic, Green Party and Libertarian Party political activists and delegates to the Texas State Republican Party Convention to raise awareness of the issues of non-compliance of ballot numbering of Texas' DRE all electronic voting systems. In the Texas Legislative Session of 2017, I and many others lobbied for an auditable paper ballot backup for electronic voting – which included a consecutively numbered ballot.

While attempts for legislation were not successful in 2017, working with the voting system vendor, Election Systems and Software (ES&S), together we sought to define an alternative strategy to accomplish the same. At that time, the new ES&S hybrid voting system, ExpressVote, offered a hybrid approach to voting a paper backup system that included an electronic method of casting and counting of votes). This system was certified in Texas for use in counties that provided precinct location voting but needed state approval for countywide polling location use in which voters may vote at any location on election day.

Working with John Pitts, lobbyist for ES&S, and Chris Moody of ES&S, I suggested they approach a state legislator to request a Texas Attorney General opinion affirming the new ES&S certified hybrid voting systems already met the definition of a “direct recording electronic [DRE] voting machine” in Texas (Tex. Elec. Code 121.003(12)). I proposed that since DRE systems were already authorized for use as countywide polling devices (Tex. Elec. Code), this would be a possible path for authorizing hybrid voting system statewide and would this would benefit ES&S and voters that overwhelmingly desired auditable paper ballots physically consecutively pre-numbered meeting state laws.

This approach was successful. In October 2017, Attorney General Paxton issued an affirmative legal opinion defining new hybrid voting systems as DRE's authorized for use at countywide polling locations in Texas.^{4,5}

The hybrid voting systems using new Ballot Marking devices were initially certified in Texas with consecutively pre-numbered paper ballots.⁶ Texas counties began moving away from all electronic DRE voting systems and adopted hybrid systems using the new ballot marking devices in 2018 through current.^{7,8,9,10}

⁴ See Texas Attorney General Opinion KP-0170, p. 4 last paragraph at <https://www2.texasattorneygeneral.gov/opinions/opinions/51paxton/op/2017/kp0170.pdf>

⁵ See a history of the ES&S hybrid voting system certification at <https://www.sos.texas.gov/elections/laws/certinfovendor.shtml>.

⁶ See a history of the Hart InterCivic hybrid voting system certifications at <https://www.sos.texas.gov/elections/laws/hart.shtml>.

⁷ Texas Secretary of State Voting Systems by County, 10/1/2018 1:43 PM. I obtained this October 4, 2018 at <https://www.sos.texas.gov/elections/forms/sysexam/voting-sys-bycounty.pdf#search=Voting%20Systems%20by%20County>

⁸ Texas Secretary of State Voting Systems by County, 2/11/2020 4:11 PM. I obtained this in 2020 at <https://www.sos.texas.gov/elections/forms/sysexam/voting-sys-bycounty.pdf#search=Voting%20Systems%20by%20County>

⁹ Voting Systems by County, 2/18/2022 10:21 AM. I obtained this in 2022 at

Year	Number of Texas Counties Using Hybrid Voting Systems with New Ballot Markers	Texas Secretary of State Reference Document and Version
2018	20	Voting Systems by County, 10/1/2018 1:43 PM
2020	83	Voting Systems by County, 2/11/2020 4:11 PM
2022	105	Voting Systems by County, 2/18/2022 10:21 AM
2024	233	Voting Systems by County, 2/6/2024

D. Escalation of the lack of consecutively numbered ballots to county and state election officials.

I have respectfully and steadily objected to the Secretary of State consecutive numbered ballot waivers for years locally in my county and statewide across Texas.

Further, I have dutifully pursued state political means to ensure I and other in-person voters in Texas are provided a legal, official ballot that is numbered consecutively:

- 2016 – 2024: Have given over 500 invited presentations and interviews related to the lack of consecutively numbered ballots in Texas requesting a return to intended law.
- 2016 – 2024: Trained over 800 election watchers for Primary, Constitutional, General, Special, Runoff and Municipal elections all over Texas. Have debriefed hundreds of individuals that have watched at the polls and at the central counting stations in counties such as Harris, Tarrant, Bexar, Travis, Collin, Denton, Williamson, and many more. Watchers report these counties and many more utilize the new hybrid voting systems and *do not consecutively numbered ballots in their elections*.
- 2019 – 2023: Repeatedly met with and requested my Williamson county elections administrator provide a consecutively numbered ballot when I and others in my county vote.
- 2017 – 2023: Repeatedly met with state representatives and senators to educate them on the issues of consecutively numbered ballots and requested they help address waivers by the Texas Secretary of State.
- 2021:
 - May of 2021, worked with Hood County in Texas to obtain a Texas Attorney General opinion on the legality of random numbered ballots using voting system software. Hood county reverts to using consecutively numbered ballots.
 - July 2021, worked with three Texas election law attorneys to provide a legal opinion for the pending Hood County AG opinion request.¹¹
- 2022:

<https://www.sos.texas.gov/elections/forms/sysexam/voting-sys-bycounty.pdf#search=Voting%20Systems%20by%20County>

¹⁰ Texas Secretary of State Voting Systems by County, 2/6/2024. I obtained this February 10, 2024 at

<https://www.sos.texas.gov/elections/forms/sysexam/voting-sys-bycounty.pdf#search=Voting%20Systems%20by%20County>

¹¹ Exhibit B - Borgelt Letter Ballot Numbering

- In April, sent demand letter to Bell and Williamson County elections administrators to follow consecutively numbered ballot laws for my May 2022 candidacy to school board.¹²
- In June, worked with state-wide delegates and successfully lobbied for the Republican Party Platform to include a plank for consecutively numbered ballots.¹³
- Reviewed Texas Attorney General' Opinion KP-0422, issued on Dec. 15, 2022 and it does not appear to answer if random numbering by voting system software meets state law.¹⁴
- 2023:
 - On April 13, 2024, met with the newly appointed Texas Secretary of State, Jane Nelson, and provided a detailed data package documenting over 25 election law waivers the Secretary of State has issued for state laws that detect and punish election fraud, including but not limited to consecutive ballot numbering laws.¹⁵
 - In September, met with my Williamson County Precinct 3 Commissioner, Valerie Covey, to educate her on the legal issues and the lack of auditability for random ballot numbers and requested she address the issues.
 - July through October, testified and met with the Williamson County Elections Commission to educate them on the legal issues and the lack of auditability for random ballot numbers and requested they address the issues. Presented multiple times to County Elections Commission and county Commissioner's Court on the illegalities of random ballot numbering, the dangers of breaching ballot security of voters, and the lack of auditability and potential for fraud related to use of random numbered ballots.
 - Repeatedly requested to meet with Williamson County Judge, Commissioner Pct 1, 2, and 4. They would not meet.
 - October through December, worked with the Williamson County Republican Party Executive Committee to pass resolutions for consecutively numbered ballots in our county. The body's passed multiple resolutions that were ignored by the elections administrators and county officials.
- 2024:
 - Presented multiple times to Commissioner's Court the illegalities of random numbering, the dangers of breaching ballot security of voters, and the lack of auditability and potential for fraud related to use of random numbered ballots.^{16,17}
I have clearly communicated the issues of lack of auditability, chain of custody

¹² Exhibit C - Demand to Wm Co (2022)

¹³ Exhibit D - Republican Party of Texas 2022 Platform; p. 33, Section 242 k.

¹⁴ Exhibit E -Tx AG Opin KP-0422_1_Hood County Ballot Numbering; p. 6.

¹⁵ Exhibit F - Pressley Letter to Sec. Nelson April 2023

Exhibit G - Waiver Packet to Sec. Nelson April 2023

¹⁶ Testimony of Dr. Pressley at Williamson County Commissioners Court on January 23, 2024 starting at 19:40,
<https://williamsoncountytexas.new.swagit.com/videos/295523>

¹⁷ Testimony of Dr. Pressley at Williamson County Commissioners Court on February 27, 2024 starting at 17:31,
<https://williamsoncountytexas.new.swagit.com/videos/298455?fp=swagit>

and potential for breach of ballot confidentiality with random numbering through voting system software.

- Collaborated with Plaintiffs and performed detailed audits of county and state election and voting system certification records for Williamson, Bell and Llano counties.

II. OBTAINING COUNTY AND STATE ELECTION RECORDS

A. Obtaining Williamson County Election Records

I submitted multiple Public Information Act requests to obtain Williamson County election records in Williamson County and have received numerous documents from the Williamson County Attorney as noted below:

1. Copies of Williamson County pollbook training.¹⁸
2. Copies of purchase orders for Williamson County elections equipment.^{19,20,21}
3. [REDACTED]
4. [REDACTED]

I requested a copy of a [REDACTED] Mrs. Soll received from her request to Williamson County [REDACTED] [REDACTED]⁵ That file was received from Mrs. Soll [REDACTED] [REDACTED]

I received copies of the following Public Information Act responses that Plaintiff Mr. Bagwell received from the Williamson County Attorney for the November 2023 elections:

1. Mr. Bagwell provided ballot image files for ballots cast in-person and by-mail for the November 2023 election. These files were originally produced to Mr. Bagwell by Williamson County for his request 2023-1415-PIA.²⁷ Representative examples of ballot images for Williamson County voter precincts 491, 310, 426, 437, 276, and 370, 116 are included.²⁸

¹⁸ Exhibit H - Wm. 1122 Presentation (Print server and Epollbook)

¹⁹ Exhibit I - Wm Voting Equipment (2023-1511-PIA)_ExpressLink and Printers

²⁰ Exhibit J - LP PIA (Tenex License for ExpressLink)

²¹ Exhibit K - LP PIA Tenex Server and ExpressLink License

²² Exhibit L - [REDACTED]

²³ Exhibit M - [REDACTED]

²⁴ Exhibit N - [REDACTED]

Exhibit O - [REDACTED]

²⁵ Exhibit P - [REDACTED]

²⁶ Exhibit Q - [REDACTED]

²⁷ Exhibit R - BB_PIA Request-(2023-1415-PIA) Ballot Images

²⁸ Exhibit S - Nov. 23 Wm Pct 491 Ballot Images Merged; [REDACTED]

Exhibit T - Nov. 23 Wm Pct 310 Ballot Images Merged; [REDACTED]

Exhibit U - Nov. 23 Wm Pct 426 Ballot Images Merged; [REDACTED]

Exhibit V - Nov. 23 Wm Pct 437 Ballot Images Merged; [REDACTED]

Exhibit W - Nov. 23 Wm Pct 276 Ballot Images Merged; [REDACTED]

Exhibit X - Nov. 23 Wm Pct 370 Ballot Images Merged; [REDACTED]

2. Mr. Bagwell provided [REDACTED] for in-person election day voters for the November 2023 election. These files were produced to Mr. Bagwell by Williamson County [REDACTED]

B. Obtaining Bell County Election Records

On February 8, 2024, I retrieved the Bell County E-Pollbook Setup Guide Training directly from the Bell County Elections website.³⁰ The E-Pollbook Setup Guide Training document provides details for election workers to setup, connect, and use the Votec electronic pollbook for voting at the polls.³¹

I submitted a Public Information Act request in 2024 to Bell County to obtain copies of electronic ballot images for the November 2023 elections in Bell County. A representative sample of ballot images for November 2023 election from Bell County are included.³²

C. Obtaining Llano County Election Records

I received a copy of the Llano County electronic pollbook, KnowInk, training document from Plaintiff Ms Highsmith.³³ That file was initially received by Ms. Highsmith from the Llano County Elections Administrator, Andrea Wilson.^{34,35}

Below is a downloaded image from HartIntercivic.com/hybrid on March 12, 2024 related to general polling place layout for hybrid (paper/electronic) voting systems.



Voter Check-in
(Produces barcode or access code)

Ballot Marking Devices
(Accepts barcode or access code)

Ballot Scanner
(Accepts/counts ballot)

²⁹ [REDACTED]

³⁰ Exhibit AA - Votec_Bell E-Pollbook Setup Guide. Retrieved from Bell County Elections on Feb 8, 2024 at [Bellcountytx.com/departments/elections/elections.php](https://bellcountytx.com/departments/elections/elections.php)

³¹ Exhibit AA - Votec_Bell E-Pollbook Setup Guide. Retrieved from Bell County Elections on Feb 8, 2024 at [Bellcountytx.com/departments/elections/elections.php](https://bellcountytx.com/departments/elections/elections.php) and was last visited on March 23, 2024 at <https://cms3.revize.com/revize/bellcountytx/departments/elections/EPollbook%20Setup%20Guide.pdf>

³² Exhibit AB - Example of Nov. 23 Bell Ballot Image

³³ Exhibit AC - MH_Llano Election Poll Train Material

³⁴ *Id.*

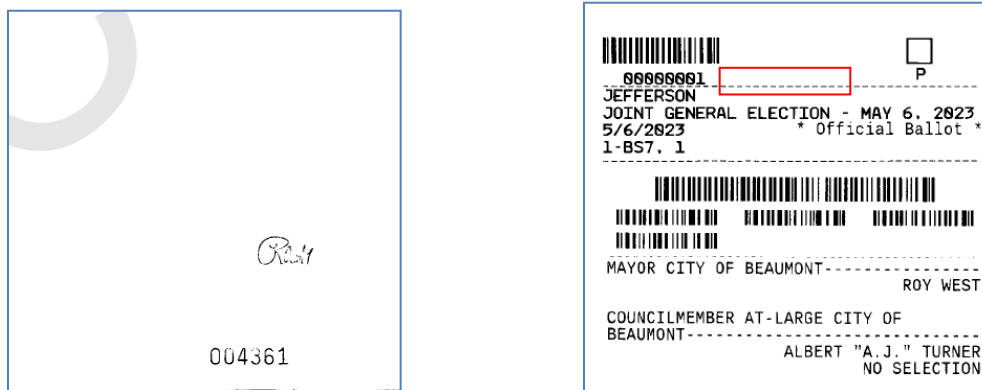
³⁵ Exhibit AD - Llano Pollbook + Duo

On February 15, 2024, I submitted Public Information Act requests to inspect ballots cast in the November 2023 elections in Llano County. No response from Llano County has been provided.

D. Obtaining Jefferson County Election Records

I have worked with Jefferson County voters, watchers, County Clerk and County Judge for many years and in 2023 the county implemented consecutively numbered ballots for their in-person voting for early voting and countywide election day voting. They utilize the ES&S ballot marking devices and the DS200 polling location ballot scanners similarly to Williamson and Bell Counties.

I received a copy of a Jefferson County electronic ballot image for the May 6, 2023 Joint General Election that shows a) consecutive numbering of “004361” on the *back* of the ballot, and b) no computerized randomly generated unique ballot identifier printed on the front of the ballot using the voting system software.³⁶ See below - there is no number in the red boxed area on the front of the Jefferson County ES&S voting system ballot. See below.



Regarding this, the Jefferson County Clerk verified that random ballot numbering through ES&S voting system voting system software “is disabled with [consecutively] prenumbered ballots.”³⁷

E. Obtaining Texas Secretary of State Election Records

I have retrieved many election records related to certification of voting systems, and certification of pollbooks from the Texas Secretary of State’s website. Additionally, I have submitted Public Information Act requests to obtain election records that are not available online regarding certification of voting systems and pollbooks in Texas and have received numerous records.

III. STATE AND COUNTY ELECTION RECORDS REVIEW

A. Williamson County

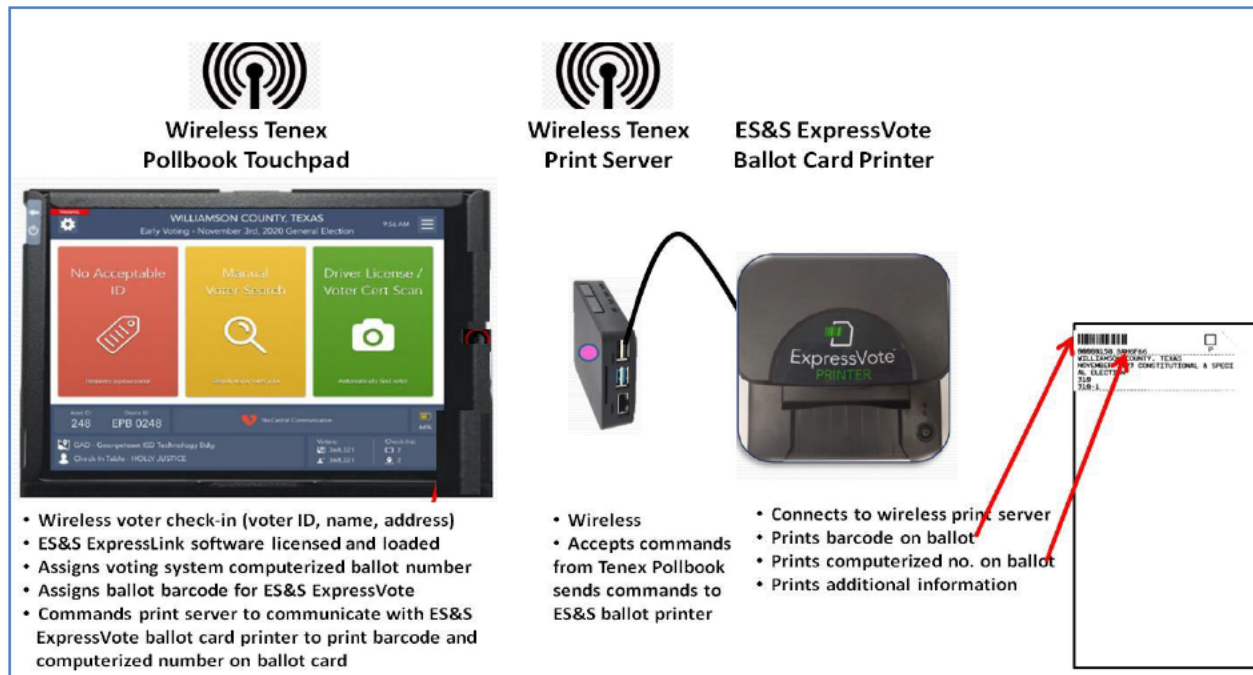
Upon reviewing county and Secretary of State documents, for polls in Williamson County, the ES&S ExpressLink software sends print commands through the electronic Tenex pollbook to a

³⁶ Exhibit AE - BS_Email Jefferson EV Ballot Image May 23

Exhibit AF - Jefferson County ES&S Ballot Image (no computerized random numbering)

³⁷ Exhibit AG - RA_Jefferson Co. Clerk (random numbering disabled)

wireless printer server that is directly wired to the ES&S ExpressVote Ballot Card Printer.^{38,39,40,41}



B. Bell County

Upon reviewing county and Secretary of State document, for polls in Bell County, the ES&S ExpressLink software print commands are sent through the Votec pollbook through a wired USB connection to the ES&S ExpressVote Ballot Card Printer.^{42,43,44} See descriptions below.

³⁸ Exhibit AH - Wm. 1122 Print server and Epollbook

³⁹ Exhibit AI - Wm. 2020 Tenex Print Server and ExpressLink License

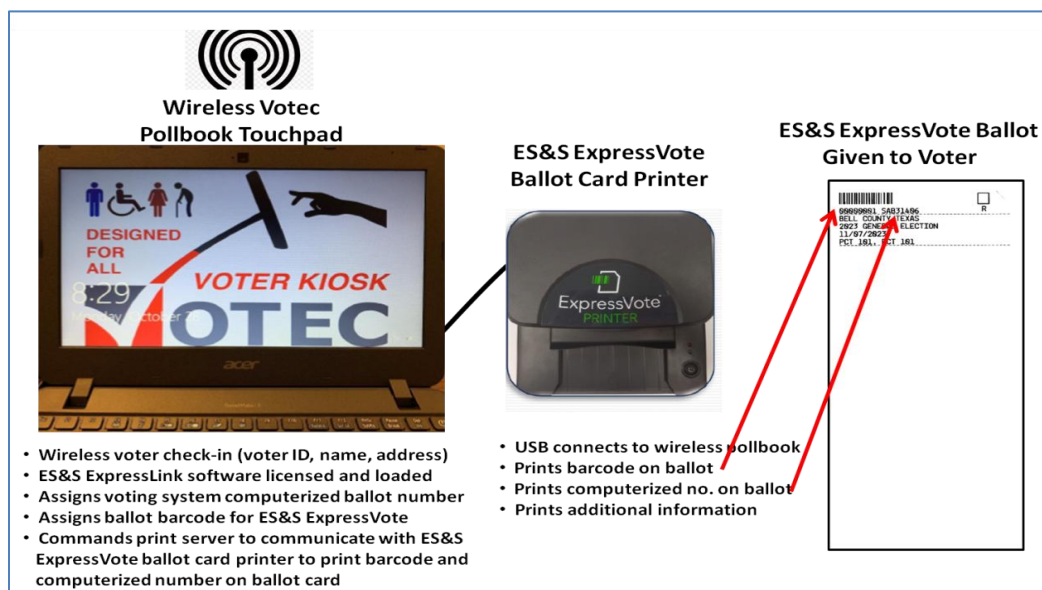
⁴⁰ Exhibit AJ - Wm. Nov. 2023 Pct 310 Ballot Image

⁴¹ Exhibit AK - Tex. Sec. of State Election Advisory No. 2019-23; pp. 2-3.

⁴² Exhibit AA - Votec_Bell E-Pollbook Setup Guide. Retrieved from Bell County Elections on Feb 8, 2024 at [Bellcountytexas.com/departments/elections/elections.php](https://cms3.revize.com/revize/bellcountytexas/departments/elections/elections.php) and was last visited on March 23, 2024 at <https://cms3.revize.com/revize/bellcountytexas/departments/elections/EPollbook%20Setup%20Guide.pdf>

⁴³ Exhibit AB - Example of Nov. 23 Bell Ballot Image

⁴⁴ Example AK - Tex. Sec. of State Election Advisory No. 2019-23; pp. 2-3.



C. Llano County

Upon reviewing county and Secretary of State documents, in-person voters in Llano County are cast their votes on a ballot that includes a computerized unique ballot number that may be tracked back to the voter's name through the access code and the barcode generated by the pollbook.^{45,46} See description of the process as shown below:



D. Williamson County Election Record Analyses – Nov. 2023 Ballot Secrecy Breach

⁴⁵ Exhibit AC - MH_Llano Election Poll Train Material

⁴⁶ Exhibit AL - Hood County RQ0405KP Req. for AG Opinion pp. 5-7.

For years, it has been reported in Williamson County that some voters have received incorrect ballots that include races voters are not entitled to vote on⁴⁷ and some have received ballots with eligible races and measures excluded from their ballots.⁴⁸ There is some statistical evidence suggesting the most recent occurrence of voters being excluded from voting on a Williamson County ESD #9 new tax measure⁴⁹ may not have been accidental.

Additionally, I have completed an extensive review of Public Information Request data produced by the Williamson County Elections Office and the Williamson County Attorney.

The review has revealed that Williamson County voters in the May 2022, May 2023 and November 2023 Constitutional Amendment Special Election are easily mapped to their exact electronic ballot number and image – thus revealing how voters in Williamson County voted in those elections.

The data sets used to map Williamson County voters to their ballot and the analyses are detailed in the redacted Exhibit AP - PowerPoint presentation, “Demonstration by Dr. Laura Pressley, Ph.D. Williamson County Election Record Analyses – Nov. 2023 Ballot Secrecy Breach” that is attached herein.

We are requesting that data only be shown in camera and subsequently sealed to secure the information and respectfully prevent it from being released outside the court’s control. How voters in Williamson County vote is sacred and we are doing everything to honor and protect that information.

⁴⁷ Exhibit AM - Wm. County Voters Receiving Wrong Pct. Ballots Nov. 20 and May 22

⁴⁸ Exhibit AN - Wm. Co. Press Release ESD#9 Ballot Style Issues Nov. 23

⁴⁹ Exhibit AO - Statistical Analysis of ESD9 Election Nov. 23